

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BELLEVUE CAYET,)
Plaintiff,)
v.) Civil Action No.
BOSTON POLICE,) 13-12753-WGY
Defendant.)

)

MEMORANDUM AND ORDER FOR DISMISSAL

YOUNG, J.

In this action, Plaintiff Bellevue Cayet alleged only that on September 5, 2012, he was a cab driver in Boston, and, while driving a customer home that evening, “a Police Boston hit my head at that time, and I made an accident some minutes later. I went to Bosty [sic] City hospital for treatment. This Court has jurisdiction over this matter.” Compl. (Docket No. 1 at 1).

On November 7, 2013, Magistrate Judge Collings issued an Order and Report and Recommendation (Docket No. 5) directing the case be reassigned to a District Judge, and recommending dismissal of this action for lack of subject matter jurisdiction.

In response, Plaintiff filed an Opposition (Docket No. 7) in which he asserts this Court does have jurisdiction because “a plane come down low level in the late afternoon on my street address asked me to go to court because they bit me.” Opposition (Docket No. 7 at 1, ¶ 1). He further alleges that something hit his head but he did not see anyone, although “[s]omeone inside a plane told that I needed to go to court to explain that. That was the reason why I said Boston police hit my head.” Id. at ¶ 2. Finally, he alleges that he “wished the court persecute the people

inside the plane to find more information, to find specific information concerning this persecution.” Id. at ¶ 3.

Plaintiff’s Opposition is wholly unintelligible and does not meaningfully address the legal impediments noted by Magistrate Judge Collings. Moreover, this Court cannot discern any cognizable claims in this matter sufficient to set forth a basis for this Court’s subject matter jurisdiction. Finally, this Court finds that it would be an exercise in futility to permit Plaintiff to amend his Complaint or provide further explanations of his claims.

Accordingly, this Court ADOPTS Magistrate Judge Collings’s Report and Recommendation in its entirety and hereby Orders that this action is DISMISSED *sua sponte*.

SO ORDERED.

/s/ William G. Young
WILLIAM G. YOUNG
UNITED STATES DISTRICT JUDGE

DATED: November 27, 2013